

FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

HON. LEON A. KENDALL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	Civil No. 2007-126
SEN. RONALD E. RUSSELL, LUIS	)	
MORALES, ROBERT O'CONNOR, JR.,	)	
ROBERT MOLLOY, and BRUCE MARSHACK,	)	
in their capacity as Members of the	)	
Virgin Islands Commission on	)	
Judicial Disabilities,	)	
	)	
Defendants.	)	
	)	

---

ATTORNEYS:

Howard M. Cooper, Esq.  
Julie E. Green, Esq.  
Boston, MA  
*For the plaintiff.*

Maria T. Hodge, Esq.  
St. Thomas, U.S.V.I.  
*For the defendants.*

JUDGMENT

GÓMEZ, C.J.

This matter is before the Court for a decision following a hearing on the merits conducted on December 13, 2007, pursuant to Rule 65 of the Federal Rules of Civil Procedure. Based on the Court's findings of fact and conclusions of law, set forth in accordance with Rule 52(a) of the Federal Rules of Civil

Procedure and more fully stated in the Memorandum Opinion of even date, it is hereby

**ORDERED** that judgment is entered for the plaintiff, Leon A. Kendall ("Kendall"), and against the defendants, Senator Ronald E. Russell; Luis Morales; Robert O'Connor, Jr.; Robert Molloy; and Bruce Marshack (collectively referred to as the "Defendants"), in their capacity as members of the Virgin Islands Commission on Judicial Disabilities (the "Commission"); it is further

**ORDERED** that the provisions of Act of Sept. 9, 1976, No. 3876, § 3, 1976 V.I. Sess. Laws 192, as codified at V.I. CODE ANN. tit. 4, §§ 651-659, violate the Revised Organic Act of 1954, 48 U.S.C. §§ 1541-1645, to the extent they provide for the removal of judges of the Superior Court of the Virgin Islands and justices of the Supreme Court of the Virgin Islands; it is further

**ORDERED** that the Defendants / members of the Commission are permanently enjoined from initiating or continuing proceedings, as contemplated by V.I. CODE ANN. tit. 4, §§ 651-659, against Kendall; and it is further

*Kendall v. Russell, et al.*  
Civil No. 2007-126  
Judgment  
Page 3

**ORDERED** that the Clerk of Court shall **CLOSE** this matter.

**DATED: January 16, 2008**

S\\_\_\_\_\_  
**Curtis V. Gómez**  
**Chief Judge**

copy: Hon. Geoffrey W. Barnard  
Howard M. Cooper, Esq.  
Julie E. Green, Esq.  
Maria T. Hodge, Esq.  
Carol C. Jackson  
Lydia Trotman  
Claudette Donovan  
Olga Schneider  
Gregory F. Laufer